

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JUL 24 2012

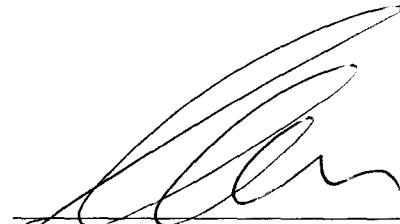
JULIA C. DUDLEY, CLERK
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FAHED T. TAWALBEH,) Civil Action No. 7:00cv00858
)
)
v.) FINAL ORDER
)
)
UNITED STATES OF AMERICA) By: Samuel G. Wilson
) United States District Judge

In accordance with this court's memorandum opinion entered this day, it is **ORDERED** and **ADJUDGED** that Tawalbeh's motion (Docket No. 27) is **CONSTRUED** as a motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, and the Clerk is directed to **FILE** the motion as such; the § 2255 motion is **DISMISSED without prejudice** as successive; and the case is **STRICKEN** from the active docket.

Further, the court finds that Tawalbeh has not made the requisite showing of the substantial denial of a constitutional right as required by 28 U.S.C. § 2253(c) and, therefore, a certificate of appealability is **DENIED**.

ENTER: July 24, 2012.



United States District Judge